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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Sung-wook Park

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EXAMINER

TOPGYAL, GELEK W

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/981,288		PARK ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Gelek Topgyal		2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 and 42-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 42-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/5/06 and 5/1/06</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 27 June 2006 have been fully considered but they are not persuasive.

In re pages 8-10, the Applicants present arguments that are based solely on "navigation information" with respect to independent claims 1, 5, 13, 17 and 21. The Applicants claim that nowhere in Suzuki (US 6,763,178) is there any teaching of recording "navigation information" so that main data and sub data can be reproduced in synchronization, and such "navigation information" is used to define "a relation required for the main data and the sub data to be reproduced in synchronization with each other" as recited in independent claims 1 and 5.

Similarly, the Applicants argue that reproducing claim 13, which is performing the reproducing functions of that of recording claim 5 cannot read the missing "navigation information".

Similarly, the Applicants argue that Suzuki fails to teach reproducing "a relation required for the read main data and sub data to be reproduced in synchronization with each other and for the read main data and extra data to be reproduced in connection with each other", which is then used to reproduce the main data and the sub data in synchronization with each other, and the main data and the extra data in connection with each other, as defined in independent claim 17 and for the extra data and the sub data to be reproduced in connection with each other as recited in independent claim 21.

2. In response, the examiner respectfully disagrees. Suzuki (US 6,763,178) does indeed teach the claimed “recording navigation information defining a relation required for the main data and the sub data to be reproduced in synchronization with each other” as recited in independent claims 1 and 5. As addressed in paragraphs 4 and 5 of the previous Office Action dated 22 March 2006, Suzuki discloses that sub data (subtitles) can be reproduced in synchronization with the audio and video data, and that the synchronization information is stored in GRAPHICS\_HEADER\_files (col. 6, lines 26-67). To further clarify the position of the examiner, the GRAPHICS\_HEADER\_files meets the limitation of the claimed “recording navigation information” that defines a relation for main data and sub data to be reproduced in synchronization with each other. The GRAPHICS\_HEADER\_files includes ATS and PTS time codes that are used for synchronization purposes. ATS time code is the time at which the data is to be read from the storage medium into a buffer (code buffer 14) for purposes of e.g. decoding, and PTS time code is the precise time and moment of display of the sub-data (subtitles). ATS and PTS time codes are old and thoroughly used in the art to synchronize two separate data files (in this case audio-video data with subtitles) (col. 6, lines 26-67). Suzuki once again teaches in col. 2, lines 1-10 that graphics header file (GRAPHICS\_HEADER\_files) are created and stored in *separate files* on the medium.
3. In response to arguments on independent claim 13, the examiner respectfully disagrees. As discussed in paragraph 2 above and paragraph 7 of the previous Office Action dated 22 March 2006, the reproducing based on “navigation information” is clearly taught by Suzuki.

4. In response to arguments concerning recording "navigation information" defining a relation required for the "extra data to be reproduced in connection" the "main data" as recited in claims 17 and for the "extra data to be reproduced in connection" with the "main data" as recited in claim 21, the examiner respectfully disagrees. As discussed in paragraph 2 above and paragraph 7 of the previous Office Action dated 22 March 2006, Suzuki does teach the claimed limitations. To further clarify the position of the examiner, Suzuki teaches that "extra data" in the form of advertisements, logos, still images (Fig. 2, PICTURES directory), and title can be associated with the main data (audio-video data) and sub data (subtitles) so that they can be reproduced in synchronization or in connection with each other (col. 3, lines 44-61). As discussed above in paragraph 2, and further shown in Fig. 2, **multiple graphics header files can be stored (Graphics\_001.Header, Graphics\_002.Header, ...) in *separate files*** that store the "navigation information" for reproducing "extra data" that have been recorded in separate bitstreams. The multiple graphics header files meets the limitation for storing "management information" for "extra data". Furthermore, **other information in the form of still images (Fig. 2, PICTURES directory) are also stored separately** and can also meet the limitation of the claimed "extra data". The multiple graphics header files and the PICTURES directory (reading on "management information" for main, sub and extra data as discussed) are read by the apparatus during reproduction to allow for the functions of reproduction in synchronization and in connection with each other.
5. In conclusion, Suzuki (US 6,763,178) does in fact teach all the limitations that the Applicants declare Suzuki fails to teach. The management information for allowing main

data, sub data, and extra data to be reproduced in synchronization or in connection with each other are clearly taught as discussed above as they can be recorded and reproduced to allow for the functions allowing reproduction in synchronization and in connection with each other.

6. The previous Office Action dated 22 March 2006 has been copied and pasted below and has been expanded upon to further clarify the position of the examiner. Independent claims 13, 17 and 21 contain new limitations for which the previous rejection has been expanded upon to cover the new limitations. Independent claims 1 and 5 have also been expanded to further clarify the position of the examiner.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1-4, 5-24, 42-46** are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki.

9. **Regarding claims 1-4**, Suzuki teaches that video and audio data, subtitles, and other sub-information data like advertisements, still images, logos and titles are recorded on separate portions of the recording medium (see Figure 2, MPEGAV,

GRAPHICS, and PICTURES subdirectory). Information about playback synchronization is stored under GRAPHICS\_HEADER file in the form of ATS (Arrival Time Stamp) and PTS (Program Time Stamp) (Col. 6, lines 26-67). Suzuki also teaches and encoder 18 that encodes the incoming video and audio data (Col. 3, lines 2-17), and CPU 21 within the PC encodes all the subtitles, advertisements, still images, logos, and other titles.

*Furthermore, Suzuki (US 6,763,178) does teach the claimed "navigation information defining a relation required for the main data and the sub data to be reproduced in synchronization with each other" recorded on the recording medium as recited in independent claim 1. Suzuki discloses that sub data (subtitles) can be reproduced in synchronization with the audio and video data, and that the synchronization information is stored in GRAPHICS\_HEADER\_files (col. 6, lines 26-67). To further clarify the position of the examiner, the GRAPHICS\_HEADER\_files meets the limitation of the claimed "recording navigation information" that defines a relation for main data and sub data to be reproduced in synchronization with each other. The GRAPHICS\_HEADER\_files includes ATS and PTS time codes that are used for synchronization purposes. ATS time code is the time at which the data is to be read from the storage medium into a buffer (code buffer 14) for purposes of e.g. decoding, and PTS time code is the precise time and moment of display of the sub-data (subtitles). ATS and PTS time codes are old and thoroughly used in the art to synchronize two separate data files (in this instant audio-video data with subtitles) (col. 6, lines 26-67). Suzuki once again teaches in col. 2, lines 1-10 that graphics header file*

*(GRAPHICS\_HEADER\_files) are created and stored in separate files on the recording medium.*

10. **Regarding claims 5 and 6**, Suzuki teaches a system that allows video and audio data, subtitles, and other sub-information data like advertisements, still images, logos, and titles can be recorded onto the medium in separate areas (col. 3, lines 44-61 and Fig. 2). Subtitles meet the limitation of sub-data as claimed, and other sub-information such as advertisements, logos, still images, and titles meet the limitation of extra data. The system controller 17 arranges the sub-image data in one or more files separated from the main data. Suzuki discloses that sub-data in the form of subtitles can be reproduced in synchronization with the audio and video data and the synchronization information is stored in GRAPHICS\_HEADER\_files in the form of arrival time stamp (ATS) and presentation time stamp (PTS) (col. 5, lines 26-67).

*Furthermore, Suzuki (US 6,763,178) does teach the claimed "recording navigation information defining a relation required for the main data and the sub data to be reproduced in synchronization with each other" as recited in independent claim 5. Suzuki discloses that sub data (subtitles) can be reproduced in synchronization with the audio and video data, and that the synchronization information is stored in GRAPHICS\_HEADER\_files (col. 6, lines 26-67). To further clarify the position of the examiner, the GRAPHICS\_HEADER\_files meets the limitation of the claimed "recording navigation information" that defines a relation for main data and sub data to be reproduced in synchronization with each other. The GRAPHICS\_HEADER\_files*



*includes ATS and PTS time codes that are used for synchronization purposes. ATS time code is the time at which the data is to be read from the storage medium into a buffer (code buffer 14) for purposes of e.g. decoding, and PTS time code is the precise time and moment of display of the sub-data (subtitles). ATS and PTS time codes are old and thoroughly used in the art to synchronize two separate data files (in this instant audio-video data with subtitles) (col. 6, lines 26-67). Suzuki once again teaches in col. 2, lines 1-10 that graphics header file (GRAPHICS\_HEADER\_files) are created and stored in separate files on the medium.*

11. **Regarding claims 7-12**, Suzuki teaches that main data in the form of video and audio data are encoded by encoder 18, and that several different sub-information data are encoded by the CPU 31, and is further recorded onto the medium (col. 3, lines 1-8, Fig. 2, col.3, lines 44-61). Suzuki also teaches that if the incoming data is already encoded, then no encoding is required, and the recording takes place (col. 4, lines 29-39). Suzuki's system is an interface between a personal computer (PC) and the recording unit and thereby is a digital interface. It is also noted that for any data to be written onto a medium of a different format, the data has to be encoded to the format of the medium, in particular, an optical disk.

12. **Reproducing claims 13-24** are rejected on the basis of the recording claims 5-12 above and in addition the following reasons. Suzuki teaches that during reproduction, the optical scans the medium to generate, at any time, the main data

comprised of main video and audio data, and sub-images representing subtitles, and other data in the form of advertisements, logos, still images, and titles (col. 4, lines 40-67). As can be seen in Fig. 2, the audio and video data (MPEGAV), subtitles (GRAPHICS), and other information like still images (PICTURES) are stored on separate parts of the medium. The medium and the interface with the reproducing medium and the PC is a digital equipment and is a digital interface. The several types of data read by the optical head is demodulated and error corrected and temporarily stored on a loading channel buffer 7, thereby is a combined stream. The loading channel buffer then splits the signal and sends the audio and video data to their respective decoders 10, and 11. The sub-image data are input to the graphics decoder where titles and other information are decoded. The decoded audio and video data, the sub-image data information are then added together with data from the OSD controller to display to the display unit. The output of the audio and video data, subtitles, advertisements, still-images, and titles are output in synchronization according to the information read from the GRAPHICS\_HEADER\_file. (col. 5, lines 1-10, col. 6, lines 26-67, and Fig. 2).

*Furthermore, as discussed in claims 5 and 6 above and the reasons discussed below, Suzuki teaches the originally claimed limitations and the newly added limitations. The reproducing method based on "navigation information" as recited in independent claims 13, 17 and 21 is clearly taught by Suzuki. To further clarify the position of the examiner, Suzuki teaches that "extra data" in the form of advertisements, logos, still images (Fig. 2, PICTURES directory), and title can be associated with the main data (audio-video data) and sub data (subtitles) so that they can be reproduced in*

*synchronization or in connection with each other (col. 3, lines 44-61). As discussed above in claims 5 and 6, and further shown in Fig. 2, **multiple graphics header files can be stored (Graphics\_001.Header, Graphics\_002.Header, ...) in separate files that store the "navigation information" for reproducing "extra data" that have been recorded in separate bitstreams. The multiple graphics header files meets the limitation for storing "management information" for "extra data". Furthermore, other information in the form of still images (Fig. 2, PICTURES directory) are also stored separately and can also meet the limitation of the claimed "extra data". The multiple graphics header files and the PICTURES directory (reading on "management information" for main, sub and extra data as discussed) are read by the apparatus during reproduction to allow for the functions of reproduction in synchronization and in connection with each other.***

13. **Claims 42-46** are rejected for the reasons as stated in claims 5-24, above.

### **Conclusion**

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

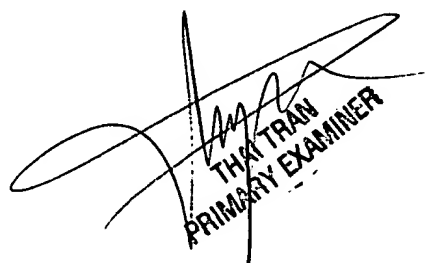
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gelek Topgyal whose telephone number is 571-272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gelek Topgyal  
8/24/2006



THAI TRAN  
PRIMARY EXAMINER